

MINUTES

Florida Board of Auctioneers Meeting

Meeting Type: General Business Meeting

Meeting Date: April 5, 2004

Meeting Location: Tallahassee

Board Members Present: Fred Dietrich (Chair), Craig Accardo, and Jody Hill
Board Members Absent: Annette Elms, Michael Moecker (Vice Chair) both excused absences

Department Staff: Julie Malone, Executive Director
Donna Salters-Thomas, Government Analyst
Mary Ellen Clark, Assistant General Counsel
Brian Higgins, Prosecuting Attorney
Charles Pellegrini, Prosecuting Attorney

The meeting was called to order by Mr. Dietrich at 10:16 a.m. and a quorum was established.

A motion to approve the minutes from the March 9, 2004 meeting was made by Ms. Hill. Mr. Accardo seconded it, and the motion passed unanimously.

Mr. Pellegrini presented three discipline cases against A & E Auctions Inc., license # AB 0001122. It was noted that A & E Auctions, Inc. have two prior cases 99-03131 and 2000-02113 and the auction business license is currently delinquent.

Mr. Pellegrini presented case # 2003-05761. An administrative complaint had been properly filed and served on or about December 29, 2003. The respondent failed to respond to the administrative complaint.

The department's recommendation was to impose an administrative fine in the amount of \$9000, costs of \$688.31, suspend the license for 6 months and place the license on probation for 12 months. Ms. Hill moved to accept the findings of fact and conclusion of law. Mr. Accardo seconded it and the motion passed unanimously.

Ms. Hill moved to accept the fine of \$9000, costs of \$688.31 however, she recommended that the license be revoked. The motion was seconded by Mr. Accardo and passed unanimously.

In case # 2002-012374, the board acknowledged that A & E Auction Inc. was properly served and failed to respond to the administrative complaint. It was recommended that the board impose a fine of \$2000, costs of \$635.49, suspend license and place license on probation concurrent with the preceding case. Ms. Hill moved to accept the findings of fact and conclusion of law. The motion was seconded by Mr. Accardo and passed unanimously.

Ms. Hill offered the motion to accept the administrative fine of \$2000, costs of \$635.49, and revoke the license. The motion was seconded by Mr. Accardo and passed unanimously.

In case # 2003-74725, the board acknowledged that A & E Auction, Inc. had been properly served and failed to respond to the administrative complaint. It was recommended that the board impose a fine of \$4000, cost of \$688.31, restitution payable to Kyra Alex in the amount of \$3000 plus 18% interest dating from January 19, 2003 and suspended the license concurrent with the previous complaints.

Ms. Hill offered a motion to accept the findings of fact and conclusion of law. Mr. Accardo seconded it and the motion passed unanimously.

Ms. Hill made a motion to accept the administrative fine in the amount of \$4000, costs of \$688.31, restitution in the amount of \$3000 plus 18% interest dating from January 19, 2003, and license revocation. Mr. Accardo seconded it and the motion passed unanimously.

It was noted that A & E Auctions, Inc., license # AB 0001122, is delinquent. Mr. Dietrich motioned that the board investigate whether or not Mr. Snyder is still doing business on a delinquent license. Mr. Accardo seconded it and it passed unanimously. Ms. Malone will file a complaint concerning A & E Auctions.

The board requested that there be an update report provided on A & E Auctions at the next two meetings, concerning payment of fines and costs.

The next regularly scheduled board meeting has been changed from Tuesday, June 15, 2004 to Wednesday, June 16, 2004 at 10:00 a.m. by conference call.

Mr. Dietrich motioned that the meeting be adjourned. Ms. Hill seconded it. The meeting was adjourned at 10:58 a.m.